

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554
NOV 27 2002

Christie

OFFICE OF
MANAGING DIRECTOR

Xiomara Florez
UniPlex Telecom
21 S.E. 1st Avenue, 5th Floor
Miami, Florida 33131

Re: UniPlex Telecom Technologies, Inc.
Fee Control No: 00000RROG-02-085.
Bill No. 2001-9-0399

Dear Ms. Florez:

This is in response to your request dated April 10, 2002 for waiver of late fees or penalties associated with the fiscal year (FY) 2001 regulatory fee for UniPlex Telecom Technologies, Inc (UniPlex). Our records reflect that we received your regulatory fee of \$3,574.42 on February 27, 2001, but that we have not received your late payment penalty of \$893.61.

In your request, you state that you never received "an invoice, statement or any other materials stating that it was required to submit payment to the FCC."

The Commission's rules are clear that licensees such as UniPlex are required to pay to the Commission an annual regulatory fee in a timely manner. *See* 47 C.F.R. §1.1157; *see also Assessment and Collection of Regulatory Fees for Fiscal Year 2001*, Report and Order, 16 FCC Rcd 13, 525 (2001) (2001 Report and Order); 47 U.S.C. §159. It is the obligation of the licensees responsible for regulatory fee payments to ensure the Commission receives the fee payment no later than the final date on which regulatory fees are due for the year. *See* 47 C.F.R. § 1.1157. The Commission issued a public notice announcing the date on which the FY 2001 regulatory fees were due, specifically, September 26, 2001. *See* Public Notice, Extension of Fiscal Year 2001 Regulatory Fee Filing Window, 2001 WL 1078406 (Sept. 17, 2001) (*Sept. 17 Public Notice*). As a Commission licensee, UniPlex is charged with the responsibility to familiarize itself with the Commission's rules and requirements. Therefore, UniPlex's lack of familiarity with the Commission's rules governing and public notices concerning regulatory fee payments does not mitigate or excuse UniPlex's failure to pay the FY 2001 regulatory fee in a timely manner. The Commission has repeatedly held that "[l]icensees are expected to know and comply with the Commission's rules and regulations and will not be excused for violations thereof, absent clear mitigating circumstances. *Sitka Broadcasting Co., Inc.*, 70 FCC 2d 2375, 2378 (1979), *citing Lowndes County Broadcasting Co.*, 23 FCC 2d 91 (1970) and *Emporium Broadcasting Co.*, 23 FCC 2d 868 (1970). Furthermore, the Communications Act of 1934, as amended, requires the Commission to assess a late charge penalty of 25 percent on any regulatory fee not paid in a timely manner. 47 U.S.C. §159(c).

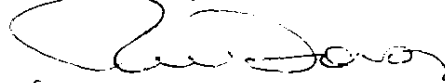
Ms. Xiomara Florez

2.

For the reasons discussed above, we deny your request for rescission of the late charge penalty for late payment of the fiscal year 2001 regulatory fee.

Payment of UniPlex's \$893.61 late payment penalty for FY 2001 regulatory fee **is** now due. It should be submitted, together with a copy of Bill No. 2001-9-0399, within 30 days of the date of this letter. If you have any questions concerning this matter, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Reger", written over a horizontal line.

for Mark A. Reger
Chief Financial Officer

Enclosure:

Bill No. 2001-9-0399

00000RR06-02-085



21 S.E. 1st Avenue, 5th Floor
Miami, FL 33131
Phone: (305) 858-6700
Fax: (305) 854-7800

April 10, 2001

Ms. Susan A. Donahue
Chief, Revenue and Receivables Operations Group
Federal Communications Commission
Washington, D.C. 20554

Re: UniPlex Telecom Technologies, Inc. ("UniPlex"); Bill Number 2001-9-0399


Dear Ms. Donahue:

Further to our telephone conversation, this letter shall serve as a request for the Federal Communications Commission ("FCC") to waive the twenty-five percent (**25%**) late **penalty** in the amount of \$893.61 that has been assessed against UniPlex. **A copy** of the cover letter and bill for collection is enclosed for your convenience.

As we discussed, UniPlex never received an invoice, statement or any other materials stating that it **was** required to submit payment to the FCC. Therefore, UniPlex respectfully requests for the FCC to waive the penalty amount stated above.

Please contact me if you need any further information or assistance.

Sincerely yours,



Xiomara Florez
Accounting Department

Enclosures

06 E 10 00 MAY 1002

061
06/10/02

RECEIVED SEP 5 2002



January 15, 2001
Via Overnight Delivery

210 N. Park Ave.
Winter Park, FL
32789

P.O. Drawer 200
Winter Park, FL
32790.0200

Tel: 407-740-8575
Fax: 407-740-0613
tmi@tminc.com

Lockbox Supervisor FCC Module Supervisor—
(Lockbox 358835)
Mellon Bank Client Service Center
FCC c/o Mellon Bank
500 Ross Street
Room 670
Spraggs, PA 15362-0001

RE: UniPlex Telecom Technologies, Inc
FCC Common Carrier Regulatory Fee (Form FCC 159) - Client Payee
For the year ending December 31, 1999
Filer 499 JD: (new)

Dear Sir or Madam:

Enclosed please find the FCC Common Carrier Regulatory Fee (Form FCC 159) - Client Payee for the year ending December 31, 1999, filed on behalf of UniPlex Telecom Technologies, Inc. A check in the amount of \$3,574.42 is enclosed to cover the remittance fees due.

Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for that purpose.

Questions regarding this filing should be directed to my attention at 407-740-8575. Thank you for your assistance in this matter.

Sincerely,

Elizabeth A. Corddry
Compliance Reporting Consultant

cc: Leonard Whan - UniPlex Telecom Technologies, Inc
file: UniPlex Telecom Technologies, Inc - Reporting - FCC

FOR INQUIRIES CALL
1-202-418-1995
(Revenue/Receivables Operations)

2001-9-0399	03/14/01																													
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>UNIPLEX TELECOM TECHNOLOGIES INC 848 BRICKELL AVENUE STE 11200 MIAMI, FL 33131</p> </div> <div style="width: 50%;"> <p>Payable to: Federal Communications Commission Send a copy - _____ Federal Communications Commission Revenue/Receivables Operations P.O. BOX 358835 PITTSBURGH, PA 15251 - 5835</p> </div> </div>																														
Total Amount Due	Total Amount Due Must Be Received By	Due Date																												
\$893.61		04/1																												
<p>25% LATE PAYMENT 200 REGULATORY FEE</p> <p>CALL SIGN: NEW</p>																														
Payment Type Code		Quantity	Fee Due																											
F	I	N	E	1	\$893.61	\$893.61																								
Total Due						\$893.61																								
<p>Account No</p> <table border="1" style="width: 100%; height: 30px; border-collapse: collapse;"> <tr> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> </tr> </table> <p>Expiration:</p> <table style="display: inline-table; vertical-align: middle;"> <tr> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> </tr> <tr> <td style="text-align: center;">Month</td> <td style="text-align: center;">Year</td> </tr> </table>																													Month	Year
Month	Year																													
<p>I hereby authorize the FCC to charge my MASTERCARD or VISA for the service(s) / authorization(s) herein described.</p>																														
AUTHORIZED SIGNATURE				DATE																										

READ INSTRUCTIONS CAREFULLY
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION
REMITTANCE ADVICE

APPROVED BY OMB
3060-0589

PAGE NO—OF

(1) LOCKBOX #

SPECIAL USE

FCC USE ONLY

SECTION A - PAYER INFORMATION

(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card)
UriPlex Telecom Technologies, Inc.

(3) TOTAL AMOUNT PAID (dollars and cents)
\$ 3,574.42

(4) STREET ADDRESS LINE NO. 1

848 Brickell Avenue, Suite 1120

(5) STREET ADDRESS LINE NO. 2

(6) CITY

Miami

FL

33131

(9) DAYTIME TELEPHONE NUMBER (include area code)

305-858-6700

(10) COUNTRY CODE (if not in U.S.A.)

(U.S.A.)

FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(11) PAYER (FRN)

0003-7362-74

(12) PAYER (TIN)

65-0382247

IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)

(13) APPLICANT NAME

(14) STREET ADDRESS LINE NO. 1

(15) STREET ADDRESS LINE NO. 2

(16) CITY

(17) STATE

(18) ZIP CODE

(19) DAYTIME TELEPHONE NUMBER (include area code)

(20) COUNTRY CODE (if not in U.S.A.)

FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(21) PAYER (FRN)

TIN

COMPLETE SECTION C FOR EACH SERVICE. IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEETS (FORM 159-C)

(23A) CALL SIGN/ OTHER ID

(new)

(24A) PAYMENT TYPE CODE

0 0 7 2

(25A) QUANTITY

3,055,063

(26A) FEE DUE FOR (PTC)

\$

(27A) TOTAL FEE

\$ 3,574.42

FCC USE ONLY

(28A) FCC CODE 1

3-055-063

(29A) FCC CODE 2

0

(23B) CALL SIGN/ OTHER ID

(24B) PAYMENT TYPE CODE

(25B) QUANTITY

(26B) FEE DUE FOR (PTC)

\$

(27B) TOTAL FEE

FCC USE ONLY

(28B) FCC CODE 1

(29B) FCC CODE 2

SECTION D. CERTIFICATION

(30) CERTIFICATION STATEMENT

I, **Leonard Wham**, certify under penalty of perjury that the foregoing and supporting information is true and correct to the best of my knowledge, information and belief. (PRINT NAME)

SIGNATURE

DATE **12/28/00**

SECTION E - CREDIT CARD PAYMENT INFORMATION

(31)

MASTERCARD/ VISA ACCOUNT NUMBER

MASTERCARD

VISA

EXPIRATION DATE:

MONTH YEAR

I hereby authorize the FCC to charge my VISA or MASTERCARD for the service(s) authorization(s) herein described.

SIGNATURE

DATE

SEE PUBLIC BURDEN ON REVERSE

FCC FORM 159

FEBRUARY 2000 (REVISED)